



Testimony
Connecticut Water Works Association (CWWA)
Before the
Public Health Committee
Public Hearing
March 3, 2008

Re: HB-5730, An Act Concerning Environmental Health

The Connecticut Water Works Association, Inc. (CWWA) is an association of public water supply utilities serving more than 500,000 customers, or population of about 2½ million people, located throughout Connecticut. Membership in the Association is open to all Connecticut water utilities: investor-owned, municipal and regional authorities. As purveyors of public water supplies, our members have an obligation to provide sufficient quantities of high-quality water at a reasonable cost to consumers of the communities served.

CWWA strongly supports Sections 4 and 5 of HB-5730, which will provide greater protection for public water supplies from contamination associated with inappropriately connected fire sprinklers and lawn sprinklers. Cross connection, which is a connection between a potable water system and a non-potable system, can lead to contamination of a public water system with the results ranging from aesthetic problems to illness or death. Contamination will result when a cross connection exists and backflow or a reversal of flow occurs.

Fire sprinkler systems can be a concern because the pressure and volume demands in a fire emergency can draw non-potable water into the public water supply system. Certain devices, such as Reduced Pressure Principle Backflow Preventers (RPDs) and Double Check Valve Assembly (DCVAs), must be installed, depending on the type of system, in order to prevent contamination.

Irrigation systems can be a concern because of the likelihood that chemicals, such as pesticides, herbicides or fertilizers, will be added to the system or applied to the ground. When chemicals are applied to the ground, they may be introduced into the water system through the inlets on the inground sprinkler heads.

HB-5730 strengthens the existing law to address these concerns by providing for greater notification to water utilities regarding the installation of such systems so that they can inspect the property for cross connection violations, as required under Section 19-13-B102 of the Regulations of Connecticut State Agencies. It also authorizes the local health director to take steps to mitigate the cross connection, consistent with existing law regarding irrigation wells.

We hope to revise the language to provide greater notification to utilities regarding any change in use of a commercial property. For example, if an office is retrofitted from an insurance office to a dentist's office or beauty salon, the potential for cross connection contamination exists because of the type of

systems used in those facilities. Unless water companies are advised of these changes, they have no knowledge that these facilities should be regularly inspected in accordance with Section 19-13-B102 of the Regulations of Connecticut State Agencies.

We believe these changes will protect the public health of Connecticut's citizens by minimizing the potential for cross connection contamination of public water supplies.

CWWA also supports Section 6 of the bill which amends an existing public health statute to impose a penalty and authorize a civil action to recover costs associated with aircraft landing or taking off from public water supply reservoirs.

Water utilities have developed and implemented measures to protect public water supplies from terrorist and other unlawful acts. In one incident, a sea plane landed on a reservoir and the surveillance cameras showed that a person appeared to be something into the reservoir from the plane's pontoon. Emergency personnel were dispatched but the plane took off before the pilot and passengers could be questioned. Because there was a potential for serious contamination, the reservoir, which supplies water to eight towns, was immediately disconnected while authorities investigated.

Clearly, in this post 9/11 world, this incident caused a very real security scare. In addition to utility personnel, various local, state and federal agencies were called in, including the state Department of Homeland Security, the Connecticut State Police, the state Department of Public Health and local police. When authorities finally caught up with the aircraft in another state, it was determined that the pilot had stopped to refuel – an activity which also poses concerns for water quality. Although testing concluded that the water was safe and the reservoir was soon reconnected, the amount of time and resources expended to thoroughly investigate the incident was tremendous – and costly. Although current law prohibits aircraft from landing on a reservoir, there is no penalty for violating the law. Moreover, it is difficult to pursue a civil action under these circumstances. We therefore urge support for Section 6 of this bill.

CWWA opposes Section 1 of HB-5730, which would effectively thwart the development of new sources of water supply by imposing difficult burdens on water companies that could not be easily overcome. This section imposes obligations on water companies to determine land use measures that could be taken to assure purity and adequacy of the supply. Such measures are outside the purview of the water company, however. Moreover, there are already clearly defined requirements for gaining approval of new sources of supply, such as rigorous quality testing to assure purity and adequacy. We are unclear what issue this new language is trying to address, but it appears to create more problems that would impede the development of new sources of supply. Quite simply, this would lead to "paralysis by analysis."

While we fully support land use planning measures to protect public water supply sources, we believe it is essential that those be done through the local communities and more appropriate to consider those in the context of more comprehensive land use planning initiatives as contemplated in the Smart Growth initiatives or other broader watershed and source protection efforts. We will discuss with the state Department of Public Health to determine whether we can resolve these issues.

We appreciate the opportunity to provide comment and are available to work with the Committee and the Department on final language regarding these important issues.